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19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA  
21 SAN FRANCISCO DIVISION

22 THE PROCTER & GAMBLE COMPANY,

23 Plaintiff,

24 vs.

25 KRAFT FOODS GLOBAL, INC.,

26 Defendant.  
27  
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No. CV 08-00930 PJH

**CASE MANAGEMENT STATEMENT  
PURSUANT TO THE COURT'S  
OCTOBER 21, 2008 ORDER**

On October 21, 2008, in response to a status report the parties submitted on October 15, 2008, the Court ordered the parties to file a stipulation regarding proposed limited discovery no later than October 22, 2008, or file a case management report no later than October 24, 2008 and appear at a case management conference on October 30, 2008, at 2:30 p.m. Dkt. No. 55. On October 22, 2008, the Court set a deadline of October 24, 2008 for the parties to file a case management statement and set a hearing for a case management conference on October 30, 2008, at 2:30 p.m. The parties' understanding is that the deadline and hearing date were set pursuant to the Court's October 21, 2008 order and assumed that the deadline and hearing would be vacated once the parties timely filed a proposed stipulation. On October 22, 2008, the parties filed a proposed stipulation regarding limited discovery (Dkt. No. 56); therefore, the parties do not believe the Court's order requires the parties to file a case management statement. The stipulation filed on Wednesday reflects the status of the parties' negotiations regarding the limited discovery allowed by the court.

Because the deadline and hearing dates have not been vacated, however, the parties are filing this statement in an abundance of caution and to avoid violating the Court's order.

The electronic filer hereby attests that the individual whose name appears below has signed this document. *See* General Order 45, Section X.

DATED: October 24, 2008

Respectfully submitted,

QUINN EMANUEL URQUHART OLIVER &  
HEDGES, LLP

By \_\_\_\_\_ /s/

Evette D. Pennypacker  
Attorneys for Kraft Foods Global, Inc.

DATED: October 24, 2008



Respectfully submitted,

HOWREY LLP

By \_\_\_\_\_

Ben M. Davidson  
Attorneys for The Procter & Gamble Company

10/27/08